



Sterne Kessler Goldstein Fox

ATTORNEYS AT LAW

Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Donald J. Featherstone
Lawrence B. Bugaiksky
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Heidi L. Kraus
Edward W. Yee
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Eldora Ellison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaston
Kimberly N. Reddick
Theodore A. Wood

Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Christine M. Lhulier
Rae Lynn Prengaman
Jane Shershenovich*
George S. Bardmesser
Daniel A. Klein*
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller*
LuAnne M. DeSantis
John J. Figueroa
Ann E. Summerfield
Tiera S. Coston
Aric W. Ledford*
Jessica L. Parezo

Timothy A. Doyle*
Gaby L. Longsworth*
Nicole D. Dretar*
Ted J. Ebersole
Jyoti C. Iyer*
Registered Patent Agents
Karen R. Markowicz
Nancy J. Leith
Helene C. Carlson
Matthew J. Dowd
Aaron L. Schwartz
Katrina Y. Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford

Eric D. Hayes
Michelle K. Holoubek
Robert H. DeSelms
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
*Admitted only in Virginia
•Practice Limited to
Federal Agencies

May 20, 2004

WRITER'S DIRECT NUMBER:
(202) 772-8762
INTERNET ADDRESS:
NLEITH@SKGF.COM

Art Unit To Be Assigned

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application
Application No. 10/824,358; Filed: April 15, 2004
For: **Process for Producing High Purity Isoflavones**
Inventors: Hilaly *et al.*
Our Ref: 1533.6040002/PAJ/NJL

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. Form PTO-1449 citing 9 documents; and
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
May 20, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Nancy J. Leith

Nancy J. Leith
Agent for Applicants
Registration No. 45,309

PAJ/NJL:cpn
Enclosures

266056_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HILALY *et al.*

Appl. No.: 10/824,358

Filed: April 15, 2004

For: **Process for Producing High Purity Isoflavones**

Confirmation No.: *To be assigned*

Art Unit: *To be assigned*

Examiner: *To be assigned*

Atty. Docket: 1533.6040002/PAJ/NJL

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. No copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

The Examiner's attention is directed to co-pending U.S. Appl. No. 10/409,983, filed April 9, 2003, published on January 29, 2004 as U.S. Pub. No. 2004/0019226 A1, and submitted herewith as document AI1. The Examiner is respectfully requested to consider the cited application and the art cited herein upon examination.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This filing is made under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Nancy J. Leith

Nancy J. Leith
Agent for Applicants
Registration No. 45,309

Date: May 20, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1533.6040002/PAJ/NJLAPPLICATION NO.
10/824,358APPLICANT
HILALY et al.FILING DATE
April 15, 2004GROUP
To be assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	4,172,828	10/30/1979	Davidson et al.			04/27/1978
	AB1	5,670,632	09/23/1997	Chaihorsky			01/18/1996
	AC1	5,679,806	10/21/1997	Zheng et al.			02/24/1995
	AD1	5,702,752	12/30/1997	Gugger et al.			03/13/1996
	AE1	5,792,503	08/11/1998	Gugger et al.			06/04/1997
	AF1	5,919,921	07/06/1999	Waggle et al.			05/29/1998
	AG1	6,033,714	03/07/2000	Gugger et al.			03/05/1998
	AH1	6,320,028 B1	11/20/2001	Konwinski			12/04/2000
	AI1	2004/0019226 A1	01/29/2004	Hilaly et al.			04/09/2003
	AJ1						
	AK1						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1						Yes No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>1</u>	
	AS	<u>1</u>	
	AT	<u>1</u>	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.